Image 2661

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Cyrus R. Safinya et al.

Examiner:

Not yet known

Serial No.:

10/015,078

Group Art Unit:

Not yet known

Filed:

October 26, 2001

Docket No.:

30794.32USD1

Title:

MACROMOLECULE-LIPID COMPLEXES AND METHODS FOR MAKING

AND USING

CERTIFICATE UNDER 37 CFR §1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on April 13, 2004.

Renate Marco P. Domingo

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b)(3))

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Dear Sir:

This Information Disclosure Statement is being filed herein as a supplement to Applicant's March 19, 2002, Information Disclosure Statements which were submitted under 37 C.F.R. §§1.97(b)(3). In accordance with 37 C.F.R. §1.98(d), copies of Exhibits 39-44s set forth in the Form 1449 are included herein.

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. They are as follows:

- U.S. Patent No. 5,459,127 issued October 17, 1995 **Exhibit 39**
- U.S. Patent No. 5,869,037 issued February 9, 1999 Exhibit 40
- U.S. Patent No. 5,928,944 issued July 27, 1999 Exhibit 41
- International Publication No. WO95/18863 published July 13, 1995 Exhibit 42

Cyrus R. Safinya et al.

Serial No. 10/015,078 Filed: October 26, 2001

Page 2

• Liu, Feng et al., "New Cationic Lipid Formulations for Gene Transfer," Pharmaceutical

Research, 1996, 13:1856-60 - Exhibit 43

• Sternberg, Brigitte, "Morphology of Cationic Liposome/DNA Complexes in Relation to

Their Chemical Composition," Journal of Liposome Research, 1996, 6:515-33 - Exhibit 44

This statement should be considered because it is submitted before the mailing date of the first

Office Action on the merits according to 37 C.F.R. §1.97(b)(3). In accordance with 37 C.F.R.

§1.98(a)(2), copies of each document or other information listed on the enclosed Form 1449 are

provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102

and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish

that the reference(s) are not "prior art." Moreover, Applicants do not represent that the

references have been thoroughly reviewed or that any relevance of any portion of a reference is

intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of

M.P.E.P. § 609, it is requested that the Examiner return a copy of the attached Form 1449.

marked as being considered and initialed by the Examiner, to the undersigned with the next

official communication.

Cyrus R. Safinya et al. Serial No. 10/015,078 Filed: October 26, 2001

Page 3

No fee is deemed necessary in connection with the filing of this Information Disclosure Statement. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee, or credit any overpayment, to Deposit Account No. 50-0306.

Respectfully submitted,

Sarah B. Adriano

Registration No. 34,470

SaraLynn Mandel

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Cyrus R. Safinya, et al.

Serial No.:

10/015,078

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30794.32USD1

Title:

MACROMOLECULE-LIPID COMPLEXES AND METHODS FOR MAKING AND USING

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 13, 2004.

55 S. Lake Avenue, Suite 710 Pasadena, California 91101 April 13, 2004

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

☐ Transmittal sheet, in duplicate, containing Certificate under 37 CFR §1.8

Supplemental Information Disclosure Statement (37 C.F.R. §1.97 (b)(3))

Form 1449 (Information Disclosure Statement)

Exhibits 39-44

Return postcard

Please charge any additional fees or credit overpayment to Deposit Account No. 50-0306. A duplicate of this sheet is enclosed.

MANDEL & ADRIANO

55 South Lake Avenue, Suite 710 Pasadena, California 91101 (626)395-7801

Name: Sarah B. Adriano

Reg. No.: 34,470 Initials: SBA

PE 1 9 2004 US

INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION

(Use several sheets if necessary)

Docket	Number
30794.	32USD1

Application Number 10/015,078

Applicants

Cyrus R. Safinya et al.

Filing Date

Group Art Unit

October 26, 2001

Not yet known

		U.S. PA	TENT DOCUMENTS			
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	5,459,127 (Exhibit 39)	10/17/95	Felgner et al.			09/16/93
	5,869,037 (Exhibit 40)	02/09/99	Crystal et al.			06/26/96
	5,928,944 (Exhibit 41)	07/27/99	Seth et al.	-		02/04/94

	FOREIGN PATE	NT DOCUMENT	S			-
DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
					YES	NO
 W095/18863 (Exhibit 42)	07/13/95	PCT				Х

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)
Liu, Feng et al., "New Cationic Lipid Formulations for Gene Transfer," <i>Pharmaceutical Research</i> , 1996, 13:1856-60 (Exhibit 43)
Sternberg, Brigitte, "Morphology of Cationic Liposome/DNA Complexes in Relation to Their Chemical Composition," <i>Journal of Liposome Research</i> , 1996, 6:515-33 (Exhibit 44)
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EXAMINER	EX.	A۱	ΛII	Ν	E	R
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DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.

^{*}Substitute Disclosure Statement Form (PTO-1449)